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PATENT CASE: CD01352

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shen-Chun Kuo *et al.*

For Patent For: **SYNTHESIS OF  
TEMOZOLOMIDE AND ANALOGS**

Serial No.: **10/050,768**

Filed: **January 16, 2002**

Group Art Unit: **To Be Assigned**

Examiner: **To Be Assigned**

Date: **June 13, 2002**

Schering-Plough Corporation  
Kenilworth, New Jersey 07033-0530

Assistant Commissioner of Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

In accordance with applicants' duty of disclosure under 37 C.F.R. 1.56, the following information is submitted, pursuant to 37 C.F.R. 1.97 and 1.98, and may be material to the examination of this application. This submission is not an admission that the documents cited herein are prior art to the presently claimed invention.

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U.S. Patent Documents

U.S. 5,260,291 A

JUN 25 2002

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Foreign Patent Documents

EP 0 252 682 A

GB 2 125 402 A

Other Documents

Wang, *et al.*, "Alternative Syntheses of the antitumor drug temozolomide avoiding the use of methyl isocyanates", Journal of Chemical Society, Chemical Communication, Chemical Society, Letchworth, GB, p. 1687-1688 (1994)

Wang, *et al.*, "Antitumor imidazotetrazines. Part 33. new syntheses of the antitumor drug temozolomide using 'masked' methyl isocyanates", J. Chem. Soc., Perkin Trans. 1(21):2783-2787 (1995)

Wang, *et al.*, "Synthetic studies of 8-carbamoylimidzo-[5, 1-D]-1, 2, 3, 5-tetrazi n-4(3H)- one: a key derivative of antitumor drug temozolomide", *Bioorg. Med. Chem. Lett.*, **6**(2):185-188 (1996)

Yongfeng Wang, "A new route to the antitumor drug temozolomide, but not thiotemozolomide", *Chem. Commun.*, 4:363-364 (1997)

Wang, *et al.*, "Antitumor Imidazotetrazines. 35. New Synthetic Routes to the Antitumor Drug Temozolomide", *J. org. Chem.* **62**(21):7228-7294 (1997)

Newlands, E.S., *et al.*, "Temozolomide: a review of its discovery, chemical properties, pre-clinical development and clinical trials", *Cancer Treat. Rev.*, **23**(1):35-61 (1997)

Wang, *et al.*, "Antitumor Imidazotetrazines. Part 36. Conversion of 5-Amino-Imidazole-4-Carboxamide to .....Journal of the Chemical Society, Perkin Transactions 1, Chemical Society, Letchworth, GB, **10**:1669-1675 (1998)

Copies of these documents and a PTO-1449 Form are enclosed. The Examiner is kindly requested to make these documents of record and initial and return the PTO-1449 Form to evidence consideration of these references.

These references were cited in the International Counterpart to the above-identified case in a PCT International Search Report dated May 24, 2002. A copy of the Search Report is enclosed.

No fees, other than the fees necessary for the payment of a continuation application, are believed to be due with this submission. If any fees are determined to be due by this paper, the Commissioner is hereby authorized to deduct such fees from Account No. 19-0365.

Respectfully submitted,



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## TRANSMITTAL FORM

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|----------------------|-----------------------|
| Application Number   | 10/050,768            |
| Filing Date          | January 16, 2002      |
| First Named Inventor | Shen-Chun Kuo, et al. |
| Group Art Unit       |                       |
| Examiner Name        |                       |

Attorney Docket Number

CD01352

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Remarks

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|-------------------------|---------------------------------|
| Firm or individual name | William Y. Lee, Reg. No. 46,100 |
| Signature               |                                 |
| Date                    | June 13, 2002                   |

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 13, 2002

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| Date                  | June 13, 2002  |

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